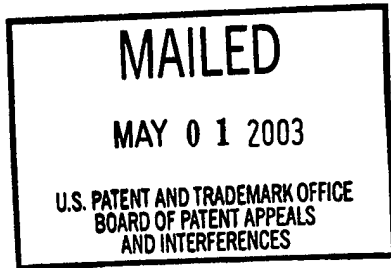


UNITED STATES PATENT AND TRADEMARK OFFICE



\_\_\_\_\_  
BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
\_\_\_\_\_

Ex parte SHIGERU ATSUMI  
\_\_\_\_\_

Application No. 09/028,276  
\_\_\_\_\_

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER  
\_\_\_\_\_

This application was received at the Board of Patent Appeals and Interferences on April 21, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellant filed an Information Disclosure Statement (IDS) on May 17, 2002 (Paper No. 27). It is not clear from the record whether the examiner considered the statement submitted or whether the examiner notified appellant of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

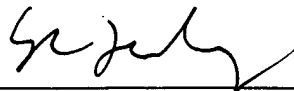
ORDERED that the application is returned to the examiner for consideration of the IDS filed on May 17, 2002

Application No. 09/028,276

(Paper No. 27), written notification to appellant of such entry,  
and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:



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CRF/clm/dm  
RA03-0297